

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	Cr. No. 04-00053 DAE
)	
Plaintiff,)	DECLARATION OF COUNSEL
)	
vs.)	
)	
SILVER JOSE GALINDO,)	
aka DANIEL S. GALINDO,)	
aka TIMOTHY MAU,)	
_____)	

DECLARATION OF COUNSEL

I, Pamela E. Tamashiro, do hereby declare and state as follows:

1. I have been appointed by the Court to represent Ms. Necia Hao, a material witness for the defense.
2. Ms. Hao is a State of Hawaii inmate who has been incarcerated at the Otter Creek Correctional Center in Wheelwright, Kentucky. Pursuant to a Writ of *Habeas Corpus Ad Testificandum* issued on August 20, 2007, she was transferred to and is being held at the Federal Detention Center - Honolulu as a material witness for Defendant SILVER JOSE GALINDO ("Defendant").
3. Trial in this matter was originally scheduled for September 11, 2007 and, upon information and belief, has been continued to January 8, 2008.

4. Ms. Hao would like to be returned to the Otter Creek Correctional Center as soon as possible to enter a drug treatment program at the Correctional Center. Upon information and belief, Ms. Hao has missed the start of an earlier drug treatment program because of her detention in the State of Hawaii as a material witness. Upon information and belief, Ms. Hao has been accepted to begin a drug treatment program at the Otter Creek Correctional Center in March 2008. Ms. Hao would like to complete the programs available to her at the Otter Creek Correctional Center before going before the Parole Board. Ms. Hao would like to be able to be transported back to the Otter Creek Correctional Center as soon as possible so that she may participate in the drug treatment program. Ms. Hao informs me that no programs are available to her at the Federal Detention Center - Honolulu.

5. On December 11, 2007, I spoke with Rose with the U.S. Marshals Service. I learned that it will take approximately 6-8 weeks for Ms. Hao to reach her final destination in the State of Kentucky via the Justice Prisoner Transportation Services.

6. Accordingly, Ms. Hao requests that her video deposition be taken in lieu of her testimony at trial.

7. Defendant has no objection to this motion.

8. I have spoken with the Assistant U.S. Attorney Darren W. K. Ching about Ms. Hao's deposition in lieu of her trial testimony.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Honolulu, Hawaii, 12/11/07.


Pamela E. Tamashiro